

APPENDIX B

OUTLINE FOR REPORT ON STATUTORY EXCEPTIONS
TO COMPETITIVE SERVICE

The Senate Committee on Post Office and Civil Service has asked the Civil Service Commission to provide it with a comprehensive review of the situation on statutory exceptions from the requirements of the competitive service. The report is to include the background for the exceptions, the personnel management operations under them, and any reasons for continuing the present arrangements.

The Committee's primary interest is in those statutory exclusions which comprise a significant block of positions. The exclusions might include all positions in an entire agency, in an organizational component of an agency, or even the positions in an occupational group which crosses organizational lines. In some cases the positions may be under a separate personnel management system. Whenever a significant number of jobs are involved, however, the exception should be included in the agency's report. Single-position exceptions or exceptions of only a few positions need not be reported.

Information on the items listed below is needed to be fully responsive to the Committee's request. It will facilitate comparison of agency reports and compilation of a general report if the format indicated below is used. However, departments and agencies should feel free to expand on or add to the outlined topics whenever they have information, comments, or recommendations which will be helpful to either the Civil Service Commission or the Committee. Please note that highly specific rather than general information is requested.

Report Requested by February 12, 1973

- I. Identification and historical basis of exceptions in the department or agency.
 - a. Statutory exception citation(s).
 - b. Coverage of exception.
 1. Identify the organizational unit covered by the exception cited under I-a.
 2. Identify occupational groups of significant size excepted by statute.

--Include attorney positions excepted by the Commission under Schedule A although it is unnecessary for individual agencies to develop the historical basis for these under

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I-d below. Schedule A attorney positions are considered for the purposes of this study to be an exception since the Commission is prohibited by appropriation act to use funds to examine for them.

--Non-appropriated fund positions also fall within the scope of the study. Statutory provisions declaring incumbents to be non-Federal employees for some purposes are a form of exclusion from the competitive service.

--It will not be necessary to include the temporary appointments of experts or consultants in the report.

c. The number and kinds of positions covered by the exception.

d. Historical basis for the exception.

--Describe the conditions which led to the statutory exclusion from the competitive service. If the positions are older than the Civil Service system, explain, if the reasons are known, why they were not included in it. Discuss the reasons which set the agency, organizational component, or occupational group apart from other agencies or positions in the Federal Government.

II. Current agency personnel policy, practice, and procedures for the excepted positions.

The purposes of this material are:

--to permit comparison with the characteristics of the competitive service and

--to determine whether other personnel systems meet merit system standards.

Agencies should submit information about the methods of operation and procedures followed with special attention to the following:

a. Recruitment and Selection.

1. The use of announcements or other kinds of publicity of vacancies.
2. The use of positive recruiting methods.
3. Job evaluation system and qualifications standards followed.

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4. Examining methods and techniques practiced.

--Written tests and other ranking devices.

--Registers or other employment lists.

5. Selection and appointment practices utilized.

--Application of veteran preference.

--Application of EEO.

b. Promotion policies in effect.

c. Removal bases and procedures in effect.

d. Are the methods of recruiting, selection, promotion, and removal considered to be based on merit principles?

Comment.

III. Agency analysis of need for continuing the exception.

a. Compare present employment conditions and staff problems with those which existed at the time of the statutory exception from the competitive service.

b. Agency recommendations and reasons concerning the continuance of the statutory exceptions.

These should be as specific as possible. For example, if certain procedures are considered to be more flexible, more easily or more quickly accomplished, or more administratively practical in the excepted than in the competitive service, indicate specifically:

--to what policy or practice reference is made and

--the advantage and how it is obtained.